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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/031,642

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Reinder Eric Nederhoed

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MARK ZOVKO

36504 28TH AVE S.

FEDERAL WAY, WA 98003

EXAMINER

JENKINS, KIMBERLY YVETTE

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/031,642	Applicant(s) NEDERHOED, REINDER ERIC	
	Examiner Kimberly Jenkins	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Examiner acknowledges amended abstract, specification, and drawings filed on November 24, 2004 of Application No. 10/031642. The substitute specification has been entered.

Response to Arguments

2. Examiner acknowledges arguments filed on November 24, 2004 with regards to claims 1-9, and the arguments are persuasive because Moriue does not disclose a wireless network system. However, upon further consideration, a new ground(s) of rejection is made in view of Moriue in view of Herbert et al. (US 5920546).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8 rejected under 35 U.S.C. 103(a) as being unpatentable by Moriue et al. (US 5357525) in view of Herbert et al. (US 5920546)

Regarding claims 1 and 7, Moriue teaches a device for transferring information (data) that comprises a plurality of terminal (multiplex nodes) that each has their own address (col. 4, lines 49-50 and Fig. 5). In addition, Moriue discloses that each node comprises of a central processing unit (CPU) that is coupled to the receiver, transmitter, and input/output member (col. 1, lines 13-30). Moreover, Moriue teaches that if an error occurs, then the acknowledgement signal is not transmitted; but retransmits the signal (col. 1, lines 55-60). Furthermore, Moriue

teaches that when the cyclic redundant code from the node does not coincide, the sub-node does not return an acknowledgment signal, but transmits the frame (col. 5, lines 42-45). However, Moriue does not disclose a radio transmitter/receiver for wireless communication.

However, Herbert, who teaches a network system, expressively discloses an inter-nodal network 112 that may be a wireless communication network system (col. 5, line 61-col. 6, line 2). Herbert discloses the node switch 250 of the node as comprising a transmitter 254 and a receiver 256 (col. 7, lines 49-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wireless communication within the nodal system of Moriue, because Moriue discloses the typical wired system, whereas Herbert discloses the option of wireless communication within the nodal system as a means to provide faster signal transmission from node to node.

Regarding claim 2, Moriue discloses the CPU as comprising a memory (transmission buffer memory) wherein the message data is stored then transmitted to the multiplex bus at a predetermined time to prevent collision from occurring (col. 1, lines 35-42).

Regarding claims 3 and 4, Moriue discloses a device wherein the CPU is programmed such that data can be transmitted between the input/output members can be carried out between the nodes (col. 8, lines 20-24). Furthermore, Moriue discloses a confirmation signal being the ACK (acknowledgement) signal that is returned from each of the receiving nodes when data is properly received (col. 8, lines 37-41). However, Moriue does not disclose wireless communication between the transmitter and receiver.

However, Herbert expressively discloses an inter-nodal network 112 that may be a wireless communication network system (col. 5, line 61-col. 6, line 2). Herbert discloses the node switch 250 of the node as comprising a transmitter 254 and a receiver 256 (col. 7, lines 49-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to include wireless communication within the nodal system of Moriue, because Moriue discloses the typical wired system, whereas Herbert discloses the option of wireless communication within the nodal system as a means to provide faster signal transmission from node to node.

Regarding claim 5, Moriue discloses a data-generating device that is connected to the input/output member and the CPU wherein the data-generating means that generates a cyclic redundancy code (CRC) for error detection within the data that is transmitted between the main node and sub-nodes (Abs. lines 12-23). Also, Moriue teaches that the data is compared, and if the data coincides, the sub-node will transmit an ACK signal (col. 5, lines 38-42). However, Moriue does not disclose a wireless transmitter.

However, Herbert expressively discloses an inter-nodal network 112 that may be a wireless communication network system (col. 5, line 61-col. 6, line 2). Herbert discloses the node switch 250 of the node as comprising a transmitter 254 and a receiver 256 (col. 7, lines 49-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wireless communication within the nodal system of Moriue, because Moriue discloses the typical wired system, whereas Herbert discloses the option of wireless communication within the nodal system as a means to provide faster signal transmission from node to node.

Regarding claim 6, Moriue discloses a data-processing device (port control section 23 and Fig. 8) that is coupled to the input/output ports 21 and 22, respectively. In addition, Moriue discloses the data-processing device 23 as being able monitor for flags within the communication control section 26 (col. 9, lines 25-27). In the event of a flag, the data processing unit 23 is able to transfer data that is either stored in the reception buffer and the

transmission buffer (col. 9, lines 30-35). However, Moriue does not disclose the data signal as being received from a radio receiver.

However, Herbert expressively discloses an inter-nodal network 112 that may be a wireless communication network system (col. 5, line 61-col. 6, line 2). Herbert discloses the node switch 250 of the node as comprising a transmitter 254 and a receiver 256 (col. 7, lines 49-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wireless communication within the nodal system of Moriue, because Moriue discloses the typical wired system, whereas Herbert discloses the option of wireless communication within the nodal system as a means to provide faster signal transmission from node to node.

Regarding claim 8, Moriue discloses that the input/output members can be connected to various devices; in turn, the device may be a computer (col. 8, line 67 – col. 9, line 7 and Fig. 8).

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriue in view of Herbert (hereinafter Moriue) in further view of Kamanaka (US 4454862).

Regarding claim 9, Moriue teaches a device for transferring data over a plurality of terminals (multiplex nodes) within a vehicle (col. 4, lines 4-6); however, Moriue does not expressively disclose the transmission system as being applicable to glass horticulture wherein an area for monitoring is provided by a sensing means.

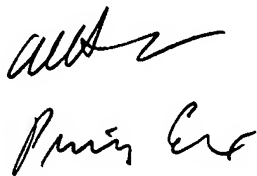
Kamanaka, who teaches a horticulture facility that comprises of means for transferring information within the system, expressively discloses sensors for horticulture facility by utilizing solar heat for detecting the greenhouse temperature (col. 3, lines 4-11). Being that the devices of both Moriue and Kamanaka expressively teach data transmission systems, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the data transferring means of Moriue into the horticulture apparatus of Kamanaka, because Moriue

discloses the data transmission device as being applicable to vehicles as a means to obtain status of various functionalities therein, i.e. air conditioning unit (col. 4, lines 17-31), and Kamanaka teaches the interface within the heating apparatus of the horticulture facility as a means to collect and discharge temperature information as a means to regulating the unit (col. 3, lines 4-16).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Jenkins whose telephone number is 571.272.3064. The examiner can normally be reached from Monday – Friday between the hours of 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571.272.3068. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kimberly Jenkins
Examiner
Art Unit 2635
18 May 2005

KYJ